

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

FREDDIE NASH,

Petitioner,

v.

Case No. 07-C-1083

MICHAEL THURMER,

Respondent.

ORDER

On December 3, 2007, Freddie Nash filed a petition pursuant to 28 U.S.C. § 2254, asserting that his state court conviction and sentence were imposed in violation of the Constitution. In a Rule 4 order, this court directed Nash to show cause why the petition should not be dismissed for untimeliness. Nash argues that the state courts' reinstatement of his appeal rights (after the AEDPA clock had run out) also serves to restart the AEDPA one-year clock. For the reasons given in the Rule 4 order, however, I conclude that is not the case. Accordingly, the petition is **DISMISSED** as untimely under 28 U.S.C. § 2244(d).

SO ORDERED this 13th day of March, 2008.

s/ William C. Griesbach
William C. Griesbach
United States District Judge